

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States District Court
Southern District of Texas
FILED

FEB 22 2018

David J. Bradley, Clerk of Court

No. 16-20731

D.C. Docket No. 4:13-CV-706

United States Court of Appeals
Fifth Circuit

FILED

January 31, 2018

Lyle W. Cayce
Clerk

DONALD LEMPAR,

Plaintiff - Appellee

v.

BRYAN COLLIER; ALLEN HIGHTOWER; GLENDA ADAMS; BOBBY VINCENT; MYRA WALKER; GUY SMITH; MEDICAL DOCTOR, UNIVERSITY OF TEXAS MEDICAL BRANCH OWEN MURRAY; SONIE MANGUM; ROBERT DALECKI; JAMIE WILLIAMS; ERNESTINE JUYLE; MEDICAL DOCTOR DENNIS GORE; VALERIE BAUER; INTERN GARZA; KATHERINE PEARSON; D. A. RUBY; PHYSICIAN ASSISTANT CHARLES NAGEL; CHERYL EGAN; LESTER FINDLEY; LISA HORTON; MARTIN OAKLEY; CAROLYN HICKS; TSUNG-LIN ROGER TSAI; SERGEANT DONNA CLEMENT,

Defendants - Appellants

Appeal from the United States District Court for the
Southern District of Texas

Before KING, DENNIS, and COSTA, Circuit Judges.

J U D G M E N T

This cause was considered on the record on appeal and was argued by counsel.

It is ordered and adjudged that the judgment of the District Court is remanded to the District Court to determine as to each defendant whether disputed issues of fact exist that overcome qualified immunity.



Certified as a true copy and issued
as the mandate on Feb 22, 2018

Attest:

Jyle W. Caylor
Clerk, U.S. Court of Appeals, Fifth Circuit

United States Court of Appeals
FIFTH CIRCUIT
OFFICE OF THE CLERK

**LYLE W. CAYCE
CLERK**

TEL. 504-310-7700
600 S. MAESTRI PLACE
NEW ORLEANS, LA 70130

February 22, 2018

Mr. David J. Bradley
Southern District of Texas, Houston
United States District Court
515 Rusk Street
Room 5300
Houston, TX 77002

No. 16-20731 Donald Lempar v. Bryan Collier, et al
USDC No. 4:13-CV-706

Dear Mr. Bradley,

Enclosed is a copy of the judgment issued as the mandate and a copy of the court's opinion.

Sincerely,

LYLE W. CAYCE, Clerk

Jim deMontuzen

By: James deMontluzin, Deputy Clerk
504-310-7679

CC:

Mr. Sufi Nasim Ahmad
Mr. Kyle Douglas Hawkins
Ms. Heather Kriscenski Rhea
Mr. M. Lawrence Wells